

COMMISSIONER KENNY'S MEETING

Venue: Commissioner Kenny's Office, Riverside House. **Date:** Monday, 3rd August, 2015
Time: 8.30 a.m.

A G E N D A

1. Whilst the requirements of the Local Government Act 1972 do not apply to this meeting it is still proposed to determine if the following matters are to be considered under the categories suggested in accordance with that Act.
2. Minutes of the previous meetings held on 6th, 10th and 21st July, 2015. (Pages 1 - 10)
3. Site for a town centre HE Campus. (Pages 11 - 16)

COMMISSIONER KENNY'S MEETING**MONDAY, 6 JULY 2015****NOTICE OF DECISIONS**

Set out below is a summary of the decisions taken at the meeting of Commissioner Julie Kenny held on Monday, 6 July 2015.

2. DECISION AND MINUTE DOCUMENT FROM THE PREVIOUS MEETING HELD ON 8TH JUNE, 2015.

The decision sheet and minutes of Commissioner Kenny's previous meeting held on 8th June, 2015, were considered.

Whilst no decision-specific representations had been received, one had been received about the decision making process. A response had been prepared and sent on 1st July, 2015.

The decision sheet and minutes were agreed as an accurate record of the previous meeting.

3. STREET CAFÉ GRANT APPLICATIONS.

Minded to Grant decision: - (1) That a capital grant of £2,000 and a revenue grant of £385 be awarded to the following businesses: -

- Miele Delicatessen;
- Delight Café Lounge.

(2) That a capital grant of £2,000 be awarded to the following business: -

- Scarlett's Café Bar & Deli.

Date of Publication of the Minded to Grant Decision: - Wednesday 8th July, 2015.

Representations upon the decision are invited from Councillors, members of the public, partner agencies and any interested body or individual within five working days from the date of publication and must be received by Hannah Etheridge hannah.etheridge@rotherham.gov.uk no later than 5.00 p.m. on Wednesday 15th July, 2015.

Representations received: - None.

Date of Commissioner Kenny's final decision: - Thursday 16th July, 2015.

4. TOWN CENTRE BUSINESS DEVELOPMENT GRANT APPLICATION.

Minded to Grant decision: - That a Business Development Grant of £7,500 for Craft Corner and The Bear's Den be approved.

Date of Publication of the Minded to Grant Decision: - Wednesday 8th July, 2015.

Representations upon the decision are invited from Councillors, members of the public, partner agencies and any interested body or individual within five working days from the date of publication and must be received by Hannah Etheridge hannah.etheridge@rotherham.gov.uk no later than 5.00 p.m. on Wednesday 15th July, 2015.

Representations received: - None.

Date of Commissioner Kenny's final decision: - Thursday 16th July, 2015.

**MEETING OF COMMISSIONER KENNY
Monday, 6th July, 2015**

Present:- Commissioner Kenny

Also in attendance Councillor Lelliott, Advisory Cabinet Member.

17. WHILST THE REQUIREMENTS OF THE LOCAL GOVERNMENT ACT 1972 DO NOT APPLY TO THIS MEETING IT IS STILL PROPOSED TO DETERMINE IF THE FOLLOWING MATTERS ARE TO BE CONSIDERED UNDER THE CATEGORIES SUGGESTED IN ACCORDANCE WITH THAT ACT.

18. DECISION AND MINUTE DOCUMENT FROM THE PREVIOUS MEETING HELD ON 8TH JUNE, 2015.

The decision sheet and minutes of Commissioner Kenny's previous meeting held on 8th June, 2015, were considered.

Whilst no decision-specific representations had been received, one had been received about the decision making process. A response had been prepared and sent on 1st July, 2015.

The decision sheet and minutes were agreed as an accurate record of the previous meeting.

19. STREET CAFÉ GRANT APPLICATIONS.

Consideration was given to the report presented by the Retail Investment Manager that outlined a proposal for three Town Centre Street Café Grants from the Business Vitality Grant Programme. This grant existed to bring about improvements to the street scene through the provision of high quality street café furniture, temporary canopies/ umbrellas and portable enclosure barriers. This aimed to improve the vitality and viability of the Town Centre and sustaining the local economy.

It was noted that planning permission and a highways permit had to be in place before the furniture was sited. Consideration was given to this, and it was proposed that a payment of £385 be made to cover these costs where necessary.

Further detail was provided on the Cafés who had applied for the grants. It was intended that the furniture would provide seating for 16 customers at Miele and Delight Café Lounge. As the outdoor seating for Scarlett's Café Bar and Deli would be on privately owned land, planning permission and a highways permit was not necessary.

The Street Café Grants would be funded from the Rotherham Economic Regeneration Fund. £20,000 was made available for this project expenditure; individual grants would be capped at £2,000. Reimbursement of planning fees would be funded from the Local Area Business Growth Incentive (LABGI).

Grants would be paid in arrears on submission of applicants' proof of payment to suppliers and all necessary permissions being met.

The submitted report outlined the option for the Council to withdraw the offer of financial assistance or to withhold payment in part or full in conditions of the Grant. The Council could recover the grant money from the applicant if the furniture was not maintained, was damaged and not replaced or where the applicant discontinued the provision of the street café.

Minded to Grant decision: - (1) That a capital grant of £2,000 and a revenue grant of £385 be awarded to the following businesses: -

- Miele Delicatessen;
- Delight Café Lounge.

(2) That a capital grant of £2,000 be awarded to the following business: -

- Scarlett's Café Bar & Deli.

Date of Publication of the Minded to Grant Decision: - Wednesday 8th July, 2015.

Representations upon the decision are invited from Councillors, members of the public, partner agencies and any interested body or individual within five working days from the date of publication and must be received by Hannah Etheridge hannah.etheridge@rotherham.gov.uk no later than 5.00 p.m. on Wednesday 15th July, 2015.

20. TOWN CENTRE BUSINESS DEVELOPMENT GRANT APPLICATION.

Consideration was given to the report presented by the Retail Investment Manager that outlined an application for a Town Centre Business Development Grant, funded through the Portas Pilot Initiative. The purpose of the grants were for existing retailers to support and improve their business, to protect/ improve sales and profits, and to increase the overall quality and variety of the town centre shopping offer.

The report outlined the proposed re-location of the existing town centre destination business, Craft Corner and The Bear's Den, to a High Street unit. This would increase footfall to the business and bring new footfall to the High Street. Craft Corner and The Bear's Den was a specialist retail shop supplying craft materials, collectable teddy bears, gifts and cards. It

had been trading successfully in Rotherham for over twenty years in Rotherham Town Centre and was a market leader with no directly comparable specialist operators in the immediate locality.

The Retail Investment Manager explained how the application had been assessed and recommended by a local business panel.

The eligibility criteria for projects being supported through the Business Development Grant Scheme was considered. The criteria included: -

- The project must be within the grant aided area of the Town Centre;
- The project was required to add credibility to the independent, specialist shopping offer of the Town Centre as a whole;
- The applicant had to be an independent trader and an existing successful business, as evidenced through trading accounts;
- Relocation to the High Street would improve the operational functionality of the business and would appeal to a wider customer base;
- The applicant must work with consultants to prepare a business plan and detailed financial forecasts;
- The applicant would participate in a quarterly review against the business plan and would agree to any remedial actions as needed.

The grant would be funded from the Portas Pilot Funding (£100k from British Land, and £100k the DCLG). The grant was discretionary and was paid in arrears. The business would be monitored at regular intervals over three years and should it cease to trade or be sold the grant conditions enabled the Council to recover grant monies from the applicant.

Minded to Grant decision: - That a Business Development Grant of £7,500 for Craft Corner and The Bear's Den be approved.

Date of Publication of the Minded to Grant Decision: - **Wednesday 8th July, 2015.**

Representations upon the decision are invited from Councillors, members of the public, partner agencies and any interested body or individual within five working days from the date of publication and must be received by Hannah Etheridge hannah.etheridge@rotherham.gov.uk no later than 5.00 p.m. on Wednesday 15th July, 2015.

COMMISSIONER KENNY'S MEETING

FRIDAY, 10 JULY 2015

NOTICE OF DECISIONS

Set out below is a summary of the decisions taken at the meeting of Commissioner Julie Kenny held on Friday, 10 July 2015.

1. ASSET EXCHANGE - 113 ELDON ROAD

Minded to Grant Decision:- That the asset exchange as proposed in the report be approved to facilitate the completion of the acquisition and demolition plans for Warden Street, Canklow.

Reason:- To allow for the exchange of a vacant, Housing Revenue Account property at 113 Eldon Road in Eastwood to be exchanged for 32 Warden Street, the last remaining property to acquire on Warden Street in Canklow.

Taking ownership of 32 Warden Street would enable demolition of all remaining empty properties on Warden Street, after which the site would be released to the open market for future housing re-development and enable the last remaining tenant to move to a more sustainable home in a less vulnerable location.

Date of Publication of the Minded to Grant Decision:- Friday, 10th July, 2015.

Representations upon the decision are invited from Councillors, members of the public, partner agencies and any interested body or individual within five working days from the date of publication and must be received by Debbie Pons debbie.pons@rotherham.gov.uk no later than 5.00 p.m. on Friday, 17th July, 2015.

Representations Received:- None received.

Date of Commissioner Kenny's Final Decision:- Monday 20th July, 2015.

**MEETING OF COMMISSIONER KENNY
Friday, 10th July, 2015**

Present:- Commissioner Kenny.

Also in attendance Councillor Lelliott, Advisory Cabinet Member.

21. ASSET EXCHANGE - 113 ELDON ROAD

Consideration was given to a report presented by Tom Bell, Strategic Housing and Investment Manager, which set out the details of a property exchange of a vacant Housing Revenue Account property at 113 Eldon Road in Eastwood to be exchanged for 32 Warden Street, the last remaining property to acquire on Warden Street in Canklow.

Taking ownership of 32 Warden Street would enable demolition of all remaining empty properties on Warden Street, after which the site would be released to the open market for future housing re-development and enable the last remaining tenant to move to a more sustainable home in a less vulnerable location.

Minded to Grant Decision:- That the asset exchange as proposed in the report be approved to facilitate the completion of the acquisition and demolition plans for Warden Street, Canklow.

COMMISSIONER KENNY'S MEETING

TUESDAY, 21 JULY 2015

NOTICE OF DECISIONS

Set out below is a summary of the decisions taken at the meeting of Commissioner Julie Kenny held on Tuesday, 21 July 2015.

2. DFT AND CARPLUS ELECTRICALLY ASSISTED PEDAL CYCLE (EAPC) HIRE AND YORKSHIRE BIKE LIBRARY CYCLING FUNDING BIDS.

Minded to Grant decision: - That the following bids on behalf of Rotherham Metropolitan Borough Council be supported: -

- A £50,000 bid (£37,500 – Capital Funding for bike purchases and £12,500 revenue funding for staffing costs) to the 'Department for Transport (DfT) and Carplus Electrically Assisted Pedal Cycle (EAPC) Hire fund', which aims to promote the uptake of EAPCs. If successful the funding would extend and support the current oversubscribed EAPC bike loan scheme delivered by the Local Sustainable Transport Fund (LSTF) Rotherham Mobile Cycle HUB;
- A £9,300 bid to the 'Yorkshire Bank Bike Library fund', which aims to provide access to bikes for children who do not have their own bike at home. If successful the funding would be used to provide a range of children's bikes which would be made available to children through the LSTF funded Rotherham Mobile Cycle HUB.

This decision is urgent based on the short-deadline open for the submission of bids to the Department for Transport and the Yorkshire Bank Bike Library Fund. It was therefore agreed in consultation with Lead Commissioner Sir Derek Myers that it would be implemented without the five-days' notice period being given.

Date of publication of decision: - 22nd July, 2015.

Date of final confirmation of decision: - 22nd July, 2015.

**MEETING OF COMMISSIONER KENNY
Tuesday, 21st July, 2015**

Present:- Commissioner J. Kenny.

Also in attendance Councillor D. Lelliott, Advisory Cabinet Member.

- 22. WHILST THE REQUIREMENTS OF THE LOCAL GOVERNMENT ACT 1972 DO NOT APPLY TO THIS MEETING IT IS STILL PROPOSED TO DETERMINE IF THE FOLLOWING MATTERS ARE TO BE CONSIDERED UNDER THE CATEGORIES SUGGESTED IN ACCORDANCE WITH THAT ACT.**
- 23. DFT AND CARPLUS ELECTRICALLY ASSISTED PEDAL CYCLE (EAPC) HIRE AND YORKSHIRE BIKE LIBRARY CYCLING FUNDING BIDS.**

Consideration was given to the report presented by the Transportation and Highways Design Projects Manager (Streetpride, Environment and Development Services Directorate). The report outlined two intended bids to be made on behalf of the Council to the Department for Transport and the Yorkshire Bank Bike Library Fund.

The Projects Manager provided a background on current cycle provision in Rotherham, including the successful track record of working with the Sheffield City Region to operate the Local Transport Plan as part of the Transport Strategy. This included the provision of cycling services free at the point of use. The Council had operated a very successful public cycle hire project over the past three years. This was operated out of the Mobile Cycle Hub.

The two proposed bids would complement and extend the operation of the Mobile Cycle Hub: -

- **Carplus Electrically Assisted Pedal Cycle Fund: -**

The first funding opportunity was the 'Carplus Electrically Assisted Pedal Cycle Fund'. It was a £500,000 fund, provided by the DfT aimed at promoting the use of Electrically Assisted Pedal Cycles (EAPCs) through public hire and better understanding the benefits for riders, the environment and transport networks. Car Plus will administer the fund and monitor the schemes delivered.

Rotherham was currently the only local authority to offer EAPC public hire across its whole administrative area and was well placed to meet the aims of the Carplus EAPC project. The bid to the 'Carplus EAPC Fund' would be for £50,000 to extend the number of EAPCs available for hire from 40 to 70. The bid consisted of £37,500 capital funding for the bike purchases and £12,500

revenue funding in respect of additional staffing and repair and maintenance costs.

The additional capacity would address the current high demand for EAPCs as the Council's existing public hire scheme was consistently oversubscribed.

- **Yorkshire Bank Bike Library Fund: -**

The second fund available was the Yorkshire Bank sponsored 'Bike Library' fund, which was one of the 2014 Tour de France (Yorkshire Grand Depart) legacy projects with the fund provided to establish children's bike libraries. These would provide a fleet of children's bikes available in deprived areas where children may not have access to bicycles of their own. The fund would provide up to £10,000 to each successful library 'host' organisation.

The £9,300 sought would be used to provide, manage and maintain a fleet of children's bikes. Again this would be made available to children as one of the services offered by the Mobile Cycle Hub.

Discussion on the proposed bids followed. Commissioner Kenny and Councillor Lelliott asked for more information on: -

- Long-term sustainability of the projects and funding schemes available;
- Whether contractors were paying their staff the Living Wage;
- The uses of the Mobile Cycle Hub and the benefits that it could bring to partnership work and potential income generation.

Commissioner Kenny was satisfied that both bids should be submitted. Given the short timescales available for their submission she agreed that her decision should not be required to stand for consultation for five-days and should be implemented immediately. She committed to agreeing this approach with the Lead Commissioner, Sir Derek Myers.

ROTHERHAM METROPOLITAN BOROUGH COUNCIL

REPORT TO COMMISSIONER KENNY

1.	Date:	3rd August, 2015
2.	Title:	Site for a town centre HE Campus
3.	Directorate:	Environment and Development Services
4.	Advisory Cabinet Member	Councillor Lelliott

Having considered the report I am minded to:-

Agree in principle the disposal of the Doncaster Gate site, or part of, to Rotherham College on terms to be agreed.

That the disposal and the terms for disposal is delegated to the Director of Housing, Asset Management and Neighbourhood Services.

That once the negotiations have been completed a final report is submitted for approval.

Confidential Appendices (if appropriate)

I do / do not agree to the information contained in any appendix remaining confidential, for the reasons outlined in the report.

Urgent Decisions (if appropriate)

The decision needs to be considered urgently (that is without the required 5 clear days' notice) for the reasons outlined in the report.

I do / do not agree to the decision being taken urgently and implemented without the required notice having been given.

I have consulted the following Commissioner regarding the urgency of the decision:-

Commissioner Sir Derek Myers

Commissioner Stella Manzie

(only one Commissioner needs to be consulted)

Key Decisions (if appropriate)

The key decision needs to be considered urgently (that is without the required 28 days' notice) for the reasons outlined in the report.

I do/do not agree to the decision being taken urgently and implemented without the required notice having been given.

I have consulted the following Commissioner regarding the urgency of the key decision:-

Commissioner Sir Derek Myers

Commissioner Stella Manzie

(only one Commissioner needs to be consulted)

J. Kenny

Signed Commissioner

3rd August, 2015

Dated

ROTHERHAM BOROUGH COUNCIL – REPORT TO COMMISSIONERS
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1.	Meeting:	Commissioner Kenny
2.	Date:	3rd August 2015
3.	Title:	Site for a town centre HE Campus
4.	Directorate:	Environment & Development Services
5.	Advisory Cabinet Member	Councillor Lelliott

6. Summary

6.1 The purpose of this report is to seek in principle approval for the disposal of the Doncaster Gate site to Rotherham College for the construction of a Higher Education (H.E.) Campus.

7. Recommendations

7.1 That Commissioner Kenny agrees:-

7.2 The in principle disposal of the Doncaster Gate site, or part of, to Rotherham College on terms to be agreed.

7.3 That the disposal and the terms for disposal is delegated to the Director of Housing, Asset Management and Neighbourhood Services.

8. Background

8.1 Rotherham is the only town, of significant size, within the Sheffield City Region without a Higher Education Centre, which partially contributes to **level 4 and above attainment in Rotherham being 12.7 percentage points below the national average and 4.8 percentage points below the regional average**. This level of underachievement needs to be addressed to provide the skilled workforce necessary to attract inward investors and grow existing businesses.

8.2 Rotherham College currently has 335 students studying on higher education programmes including Computing and Systems Development, Applied Computing, Mechanical Engineering, Electrical and Electronic Engineering, Graphic Design, Production – Specialist Make Up. The College has proactively driven the development of Higher Education within the confines of HEFCE's funding constraints and the significant increase in student numbers has led to a 53% increase in funding over a 3 year period. For the 2015/16 academic year the HEFCE constraints have been removed and the College has developed further Higher Education programmes

to continue its programme of developing high quality local provision. The College has ambitious plans to double the size of the HE population in 3 years and the HE Campus is needed to facilitate this.

- 8.3 In June 2014 the College underwent its QAA Higher Education Review and received an excellent report on the quality of its management and delivery of the provision. The College plans to build on this excellent reputation to further extend its range of qualifications from level 4 through to level 6.
- 8.4 Local businesses will be at the heart of the campus, with provision being industry led rather than academic. They will be involved in establishing, informing and delivering the project for Rotherham.

Building and site requirements

- 8.5 As there will be crossover of staff delivering current FE provision and some sharing of existing vocational equipment and facilities; the HE Campus needs to be in close proximity to the College’s existing buildings. Five minute’s walk is the figure quoted.
- 8.6 Assuming that the Campus could eventually house 1,000 students, and that certain specialist activities can be delivered within the existing College buildings, then the Campus will require a gross internal floor area of around 4,100 m².
- 8.7 The preference is for the building to be open by September 2017 for the 2017/18 academic year, although there is flexibility to put back to 2018/19 if it is essential. The requirement of the Capital Skills funding is that work must start on site by no later than September 2016.
- 8.8 With these requirements, plus a preference for an RMBC owned site to keep the process as simple as possible, there are 3 potential sites:-
- The upper part of the Drummond Street car park
 - As part of a redevelopment of the Markets Complex
 - Doncaster Gate
- 8.9 All the sites have pros and cons, which are set out in the table below.

Site	Pros	Cons
Drummond Street	<p>Only requires 40% of car park with current <u>average</u> usage is about 60%.</p> <p>Cleared site.</p> <p>Can be delivered within £12m budget.</p> <p>Prominent position for a landmark building.</p>	<p>Perception that RMBC are cutting back on car parking with impact on local business.</p> <p>Whole of car park would need shutting for construction period.</p> <p>No room for grow-on development.</p> <p>Potential planning issue of multi storey development in close proximity to housing.</p>
Markets Complex	<p>Closest to College and to rest of town centre retail offer.</p> <p>Would assist case for major regeneration of the Complex.</p> <p>Will drive footfall to Market.</p>	<p>Major physical and engineering works, giving higher costs and making it extremely challenging to meet funder’s timescales.</p> <p>Would require removal of some tenants from existing locations.</p>

		<p>No room for grow-on developments.</p> <p>Likelihood that some or all of the lower level parking (57 spaces) and storage facilities for traders would be lost.</p>
Doncaster Gate	<p>Cleared site.</p> <p>Can be delivered within £12m budget.</p> <p>Good profile for the development, with a “campus feel.”</p> <p>Space for a future, or complementary development.</p> <p>Been taken to market previously for residential development and was unsuccessful.</p> <p>Preferred choice of the College.</p>	<p>Has been identified as a prime residential site.</p> <p>Medical Centre has a 50+ year lease and the right to 151 parking spaces.</p> <p>Less visible in town centre than other sites.</p> <p>The site has been considered for specialist housing provision with links to the medical services on site. The concept has been positively received by health providers, Adult Services and developers.</p>

- 8.10 Taking the above into account it is not feasible for the Campus to be delivered on the Markets site within the timescales required. Both the other sites are deliverable, although there is likely to be concerns from local businesses if car parking is lost from Drummond Street. This together with a college preference for Doncaster Gate, which they feel has a more “campus feel” to it, points towards this being the preferred site.
- 8.11 Dependent on the location of the development within the site and its size, then it may not require all of the remaining land at Doncaster Gate. This would allow RMBC to retain it for future development or for the College to purchase the additional land for future expansion. Clearly any of the sites considered would require planning permission for an educational establishment.
- 8.12 As is noted in 8.9 above, the site was previously identified as a possible location for specialist housing provision. Dependant on the scale of the HE campus development, a further option is that any remainder land is built out for this type of use, possibly for older people. Further consideration will be given to the potential for additional future development on the site once the requirements for the HE Campus are known. Details will be reported for consideration as appropriate.
- 8.13 For the avoidance of doubt it should be noted that this development will not impact on the adjacent Matrix medical campus currently occupying the remainder of the Doncaster Gate site.

9. Finance

- 9.1 The RMBC Corporate Property team will negotiate the details of the scope of the disposal once the principle of disposal to the College is agreed; including the level of the receipt RMBC will receive for the site.
- 9.2 The costs to the Council of the disposal, and how they will be funded, are still to be determined.

10. Risks and Uncertainties

- 10.1 Rotherham College are applying to the SCR Skills Capital Fund for a grant of £4million towards the cost of the project. Failure to secure this funding could mean it is not possible to deliver the project.
- 10.2 To be eligible for Skills Capital funding a site must be identified and it demonstrated that it can be secured, by the time the bid is submitted within 2 months. Work on site must also commence within 12 months of the approval date.

11. Policy and Performance Agenda Implications

- 11.1 The provision of an HE Campus within the town centre has been highlighted within the Rotherham Economic Growth Plan as a priority project for the borough.
- 11.2 It also identifies the need to increase the number of Rotherham residents who have higher level skills, through the provision of localised HE delivery.

12. Background Papers and Consultation

- 12.1 Colleagues from the Housing, Finance, Legal and Corporate Property Team were consulted in the production of this report.
- 12.2 The Campus and its potential locations has been discussed at Advisory Cabinet, Labour Group and Opposition Group meetings.
- 12.3 The College currently works with over 150 employers whose staff access Higher Education Programmes and is consulting them on the development of the HE Centre. Rotherham and Barnsley Chamber of Commerce are highly supportive of the proposal.
- 12.4 Sheffield Hallam University and the University of Hull are supportive of the development. It is planned that other providers will be able to use the centre to ensure that the full range of provision is available to meet local needs.

Report Author:

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